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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX ) MDL CASE NO.: 05-CV-1699  
MARKETING SALES PRACTICES AND )  
PRODUCT LIABILITY LITIGATION )

ACQUAROLE, et al., ) CASE NO. CGC-06-449463  
                          ) MDL Case No. 06-2392 CRB

Plaintiffs, ) **STIPULATION AND ORDER OF**  
vs. ) **DISMISSAL WITH PREJUDICE**  
            ) **AS TO PLAINTIFF JANICE PATRICK**

Pfizer, Inc., et al. )

COME NOW, Plaintiff JANICE PATRICK and Defendants PFIZER, INC., et al., by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO PLAINTIFF JANICE PATRICK**

**Kabateck Brown Kellner, LLP**  
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1 hereby stipulate to the dismissal of Plaintiff JANICE PATRICK from this action, with prejudice,  
2 each side bearing its own attorney's fees and costs.

3  
4 Respectfully submitted,

5 Dated: September 25, 2009

6 **KABATECK BROWN KELLNER LLP**

7 By: \_\_\_\_\_  
8

9 Brian S. Kabateck, Esq.  
10 Attorneys for Plaintiff JANICE PATRICK

11 Dated: October 28, 2009

12 **DLA PIPER LLP**

13 By: \_\_\_\_\_  
14

15 Matthew A. Holian  
16 Attorney for Defendants PFIZER, INC., et al.

17 **ORDER**

18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS  
19 SO ORDERED.**

20 Dated: OCT 29 2009

21 Honorable Charles R. Breyer  
22 United States District Court